

FILED
UNITED STATES DISTRICT COURT
CLERK'S OFFICE

FOR THE

2005 MAR 16 P 2:16

DISTRICT OF MASSACHUSETTS

U.S. DISTRICT COURT
DISTRICT OF MASS

SCANNED

DATE: 3/21/05

BY: DH

ELAINE L. CHAO, Secretary of Labor,
United States Department of Labor,

Plaintiff,

v.

SYNERGY CAPITAL GROUP, INC.
and DANA CHILES

Defendants.

CIVIL ACTION

FILE NO. 04-12661RCL

JUDGMENT

Plaintiff having filed a complaint and the defendants having appeared, received a copy thereof, waived service of process and, without admitting liability, consented to the entry of this judgment without contest.

It is, therefore,

ORDERED, ADJUDGED and DECREED that defendants, their agents, servants, employees, and all persons acting or claiming to act in their behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of the Fair Labor Standards Act, as amended (29 USC 201 et seq.), hereinafter referred to as the Act, in any of the following manners;

Defendants shall not, contrary to sections 7 and 15(a)(2) of the Act, employ any employees who in any workweek are engaged in commerce or in the production of goods for commerce, or who are employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than forty hours, unless such employee receives compensation for his employment in excess of forty (40) hours at

DECLINATED

(2)

- proposed document

a rate not less than one and one-half times the regular rate at which he is employed.

Defendants shall not fail to make, keep, and preserve records of employees and of the wages, hours, and other conditions and practices of employment maintained by them as prescribed by the regulations issued, and from time to time amended, pursuant to section 11(c) of the Act and found in 29 CFR 516.

Further, the Court finding as agreed to by the defendants that employees are due compensation in the amount of \$30,347.49 and liquidated damages in the amount of \$6,069.51 as shown on attached "Exhibit A" which is incorporated in and made a part hereof, it is

ORDERED, ADJUDGED and DECREED that the defendants are restrained from withholding payment of said compensation.

The defendants represent that they been in compliance with the Act since June 19, 2004. In resolving the amount of back wages in this judgment, the plaintiff has relied on this representation, and, accordingly, the back wage provision of this judgment shall have no effect upon any back wages which may have accrued since that date.

The back-wage provisions of this judgment shall be deemed satisfied when on or before May 2, 2005 the defendants deliver to the persons listed in "Exhibit A" attached hereto the respective sums set opposite their names, less deductions for each employee's share of social security and withholding taxes.

The defendants shall further provide plaintiff with a copy of the payroll or a copy of the checks used to disburse the back wages and a statement attesting to the fact that such payment has been made.

The net amount of any back wages and liquidated damages which cannot be distributed to the employees named in "Exhibit A", or to their estates if that be necessary because of inability of the parties to locate the proper persons, or because of such person's refusal to accept such sums, shall be forwarded to plaintiff by means of a single check made payable to "Wage and Hour Division - Labor". An accounting statement showing the corresponding gross amounts and deductions relating to such payment shall also be forwarded to plaintiff at the same time. When

recovered wages and liquidated damages have not been claimed by the employee within three years, the Secretary of Labor shall deposit such money into the United States Treasury as miscellaneous receipts pursuant to 29 USC §216(c).

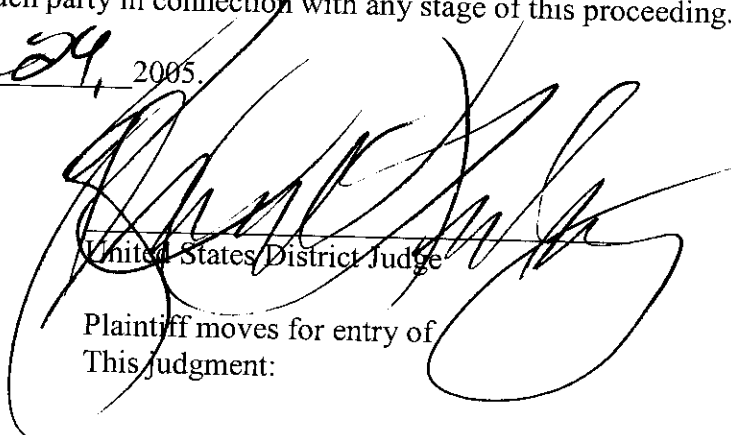
Defendants shall not, under any circumstances, accept and keep any amount returned to them by a person owed compensation under this judgment. Any such amount shall be immediately paid to the plaintiff as above.

It is further ORDERED, ADJUDGED and DECREED that each party shall bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

Dated March 24, 2005.

Defendants hereby consent to the entry of this judgment.

By Thomas J. Filipek
Thomas J. Filipek
Attorney for Defendants
BBO#164910
274 Broadway
Taunton, MA 02780
(508) 822-1988


United States District Judge

Plaintiff moves for entry of
This judgment:

Howard M. Radzely
Solicitor of Labor

Frank V. McDermott, Jr.
Regional Solicitor

John S. Casler
John S. Casler
Deputy Regional Solicitor
BBO#078060

U.S. Department of Labor
Attorneys for Plaintiff

Summary of Unpaid Wages

U.S. Department of Labor

Employment Standards Administration

Wage and Hour Division

"SOLICITOR'S OFFICE"



(Office Address) Taunton MA Area Office
US Dept. of Labor, ESA, Wage & Hour Div
17 Broadway
Room 308
Taunton, MA 02780-
508-821-9106

Investigator:

Joan Daly

2005 FEB 22 AM 11: 22

Date:

02/18/2005

Employer Fed Tax ID Number

04-3530429

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Gross Amounts Due
013-66-5840 Megan Alden	144 Pleasant St. Raynham Center, MA 02768	06/19/2004 to 06/19/2004	1	\$40.40
011-48-1012 Kevin Allen	6 Wilson St. Taunton, MA 02780	08/03/2002 to 06/19/2004	1	\$3,417.83
013-66-3224 Jenny Andrade	78 Paul Bunker Dr. Taunton, MA 02780	08/10/2002 to 03/08/2003	1	\$3,315.01
273-72-0160 Ted Barnes	34 Herman St. Fall River, MA 02720	12/14/2002 to 06/12/2004	1	\$2,710.16
022-56-3537 Terence Blea	8 Colonel Bell Dr. #16 Brockton, MA 02301	09/13/2003 to 10/04/2003	1	\$205.96
020-52-5247 Michael Dumont	4 Chipaway Ln. East Freetown, MA 02717	08/03/2002 to 12/07/2002	1	\$382.84
029-68-5367 Bruce Garcia	24 Adams St. Taunton, MA 02780	10/25/2003 to 06/19/2004	1	\$1,495.67
243-47-4087 James Hill	24 Fairway Ln. Norton, MA 02766	05/10/2003 to 07/26/2003	1	\$278.25
021-60-7431 Lawrence Hunter	341 Bay St. Taunton, MA 02780	11/23/2002 to 02/01/2003	1	\$430.00
024-60-5824 Christina MacLaren	119 Hall St. Raynham, MA 02767	06/07/2003 to 12/27/2003	1	\$1,629.59
011-64-1373 Crystal Miozza	1261 Church St. #70 New Bedford, MA 02745	04/17/2004 to 06/19/2004	1	\$71.75
013-68-2457 Jillyan Ramos	14 Jennifer Ln. Lakeville, MA 02347	06/21/2003 to 09/20/2003	1	\$57.80
012-60-4494 Rosemary Robinson	50 Terrianne Dr. Taunton, MA 02780	03/29/2003 to 03/20/2004	1	\$10,853.43
027-42-6290 Corinne Rodrigues	32 Gardner Ave. Swansea, MA 02777	11/16/2002 to 07/05/2003	1	\$2,782.84
014-56-4977 Philip Sampson	311 Union St. Fall River, MA 02722	01/11/2003 to 04/03/2004	1	\$326.25
Henry Santos	46 Orange St. Fall River, MA 02720	09/28/2002 to 11/30/2002	1	\$1,555.28

I agree to pay the listed employees the
back wages shown due and to mail
proof of payment to the Wage and Hour
District Office shown above by

Signed: _____

Employer Name and Address:

Synergy Capital Group
Synergy Capital Group, Inc.
274 Broadway

Taunton, MA 02780

TOTAL

\$30,347.49

* Column 4-Code

FLSA 1
PCA 2
SCA 3
DBRA 4
CWHSSA 5
CCPA 6
FMLA 7

Date: 02/18/2005 9:53:32 AM

Case ID: 1367149

Form WH-56

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EXHIBIT "A" (Page 1 of 4)

Summary of Unpaid Wages

U.S. Department of Labor

Employment Standards Administration

Wage and Hour Division



(Office Address) Taunton MA Area Office
US Dept. of Labor, ESA, Wage & Hour Div
17 Broadway
Room 308
Taunton, MA 02780-
508-821-9106

Investigator:

Joan Daly

Date:

02/18/2005

Employer Fed Tax ID Number

04-3530429

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Gross Amounts Due
023-62-6684 Richard Smith	44 Almada St. Westport, MA 02790	11/16/2002 to 12/21/2002	1	\$48.75
015-70-4149 Latisha Stone	32 Gardner Ave. Swansea, MA 02777	08/10/2002 to 12/21/2002	1	\$164.51
024-74-1731 Rita Teixeira	423 Pine Grove Dr. Brockton, MA 02301	12/06/2003 to 01/24/2004	1	\$525.78
030-56-3145 Michelle Tellia	653 Park St. Stoughton, MA 02072	02/07/2004 to 04/03/2004	1	\$55.39

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Synergy Capital Group, Inc.
274 Broadway

Taunton, MA 02780

TOTAL

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Case ID: 1367149

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Employment Standards Administration

Wage and Hour Division

"SOLICITOR'S OFFICE"



(Office Address) Taunton MA Area Office
US Dept. of Labor, ESA, Wage & Hour Div
17 Broadway
Room 308
Taunton, MA 02780-
508-821-9106

Investigator:

Joan Daly

2005 FEB 22

Date:

AM 11: 22

02/18/2005

Employer Fed Tax ID Number

04-3530429

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Liquidated Damages
013-66-5840 Megan Alden	144 Pleasant St. Raynham Center, MA 02768	06/19/2004 to 06/19/2004	1	\$8.08
011-48-1012 Kevin Allen	6 Wilson St. Taunton, MA 02780	08/03/2002 to 06/19/2004	1	\$683.57
013-66-3224 Jenny Andrade	78 Paul Bunker Dr. Taunton, MA 02780	08/10/2002 to 03/08/2003	1	\$663.00
273-72-0160 Ted Barnes	34 Herman St. Fall River, MA 02720	12/14/2002 to 06/12/2004	1	\$542.03
022-56-3537 Terence Blea	8 Colonel Bell Dr. #16 Brockton, MA 02301	09/13/2003 to 10/04/2003	1	\$41.19
020-52-5247 Michael Dumont	4 Chipaway Ln. East Freetown, MA 02717	08/03/2002 to 12/07/2002	1	\$76.57
029-68-5367 Bruce Garcia	24 Adams St. Taunton, MA 02780	10/25/2003 to 06/19/2004	1	\$299.13
243-47-4087 James Hill	24 Fairway Ln. Norton, MA 02766	05/10/2003 to 07/26/2003	1	\$55.65
021-60-7431 Lawrence Hunter	341 Bay St. Taunton, MA 02780	11/23/2002 to 02/01/2003	1	\$86.00
024-60-5824 Christina MacLaren	119 Hall St. Raynham, MA 02767	06/07/2003 to 12/27/2003	1	\$325.92
011-64-1373 Crystal Miozza	1261 Church St. #70 New Bedford, MA 02745	04/17/2004 to 06/19/2004	1	\$14.35
013-68-2457 Jillyan Ramos	14 Jennifer Ln. Lakeville, MA 02347	06/21/2003 to 09/20/2003	1	\$11.56
012-60-4494 Rosemary Robinson	50 Terrianne Dr. Taunton, MA 02780	03/29/2003 to 03/20/2004	1	\$2,170.69
027-42-6290 Corinne Rodrigues	32 Gardner Ave. Swansea, MA 02777	11/16/2002 to 07/05/2003	1	\$556.57
014-56-4977 Philip Sampson	311 Union St. Fall River, MA 02722	01/11/2003 to 04/03/2004	1	\$65.25
Henry Santos	46 Orange St. Fall River, MA 02720	09/28/2002 to 11/30/2002	1	\$311.06

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Signed: _____

Employer Name and Address:

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Synergy Capital Group, Inc.
274 Broadway

Taunton, MA 02780

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Employment Standards Administration

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Signed:

Taunton, MA 02780

\$6,069.51

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CCPA	6
FMLA	7